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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/487,594	01/19/2000	Eberhard Kuebler	225/48391	3340

7590

07/10/2002

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EXAMINER

AVERY, BRIDGET D

ART UNIT	PAPER NUMBER
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3618

DATE MAILED: 07/10/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/487,594

Applicant(s)

Kuebler et al.

Examiner

Bridget Avery

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Apr 24, 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above, claim(s) 11 and 13-16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10, 12, 17, and 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other: _____

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DETAILED ACTION

1. The amendments filed by applicant on 4/03/02 and 4/24/02 are acknowledged.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. manner in which the invention was made.

3. Claims 1, 5, 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chappell et al. (US Patent 5,547,208).

Chappell et al. teaches a decentralized power supply system for a vehicle (11) including at least one auxiliary battery system (16) and other power generators (12), where the at least one auxiliary battery system (16) is electrically isolated from the other power generators (12) of the power supply system (as described in column 3, lines 40-48), and is dedicated to supplying electricity to an assigned electric consuming device (as described in column 4, lines 27-29) that is incorporated in a structural subassembly (passenger compartment, as described in column 4, lines 36-39) of the vehicle; and the at least auxiliary battery system (16) is collocated with the assigned electric consuming device, and is mounted on or in the structure subassembly (passenger

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compartment) of the vehicle. The examiner notes that Chappell et al. anticipates the use of known equivalents and substitutions (see column 7, lines 15-17). It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a fuel cell since it was known in the art that fuel cells are less harmful to the environment.

4. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chappell et al. ('208) in view of Aoki et al. (US Patent 4,785,907).

Chappell et al. teaches the features disclosed above.

Chappell et al. lacks the exact teaching of incorporating a fuel cell system in a vehicle door or vehicle seat.

Aoki et al. teaches an emergency door lock mechanism incorporated in a vehicle door.

Based on the teachings of Aoki et al., it would have been obvious to one having ordinary skill in the art, at the time the invention was made, to specifically incorporate the fuel cell system in the vehicle door or vehicle seat, which is clearly within the passenger compartment (as suggested by Chappell et al., to facilitate ease in replacing fuel cells associated with specific consuming devices.

5. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chappell et al. ('208) in view of Wahnish (US Patent 3,844,130).

Chappell et al. teaches the features described above.

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Chappell et al. lacks the teachings of a fuel cell system supplying power to drive an air conditioning compressor.

Wahnish teaches an automobile having an auxiliary air conditioner drive system.

Based on the teachings of Wahnish, it would have been obvious to one having ordinary skill in the art, at the time the invention was made to provide an auxiliary air conditioner drive system for rider comfort when the primary power means is not operating.

6. Claims 6, 7, 9, 10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chappell et al. ('208) in view of Mizuno et al. (US Patent 5,193,635).

Chappell et al. teaches the features described above.

Chappell et al. lacks the teaching of an assigned fuel supply system and an exchangeable fuel storage.

Mizuno et al. teaches a vehicle with fuel cell system including a reformer (29) and a fuel storage tank (31).

Based on the teachings of Mizuno et al., it would have been obvious to one having ordinary skill in the art, at the time the invention was made to provide a reformer and a fuel storage tank for convenience. Re claims 7 and 12, it would have been obvious to one having ordinary skill in the art, at the time the invention was made to provide an exchangeable fuel storage device, since it has been held that making an old device portable or movable without

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producing any new and unexpected result involves only routine skill in the art. In re Lindberg, 93 U.S.P.Q. 23

7. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chappell et al. ('208) in view of Wilson et al. (US Patent 6,207,310).

Chappell et al. teaches the features described above.

Chappell et al. lacks the teaching of a hydrogen cartridge.

Wilson et al. teaches fuel cells that may form a fuel cell cartridge.

Based on the teachings of Wilson et al., it would have been obvious to one having ordinary skill in the art, at the time the invention was made to provide a fuel cell cartridge for ease and convenience.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kennedy shows a integrated semi-truck air conditioning system.

Maruyama shows a power transmission mechanism.

Benz et al. shows a fuel cell vehicle.

Hockaday shows micro-fuel cell power devices.

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Yamada et al. shows a power supply system for electric vehicle.

Dubois shows an apparatus and method for driving a mechanically-driven device in an electric vehicle.

Karl shows a device for the air conditioning of a vehicle when running and parked.

Ibaraki et al. shows a hybrid vehicle.

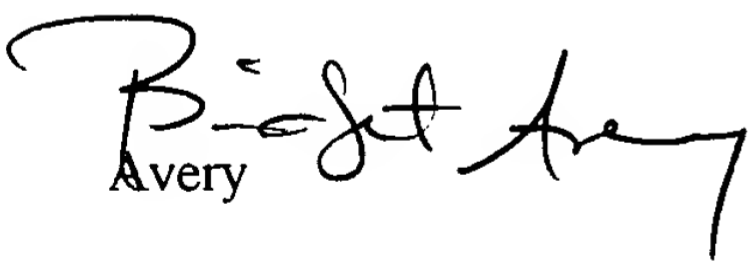
Meyer et al. shows a power supply apparatus in a vehicle.

Origuchi et al. shows an electric vehicle.

Eckstein et al. shows an auxiliary power unit for vehicles.

Wait shows a one-man armored vehicle.

9. Any inquiry concerning this communication should be directed to Bridget Avery at telephone number (703) 308-2086.


Avery

June 28, 2002



MICHAEL MAR
PRIMARY EXAMINER